

Sixth Appellate District

San Jose, California

MONDAY, FEBRUARY 2, 2004

H025313 BILODEAU v. RUDO

The request for publication of the opinion filed in the above entitled action by Tyler G. Draa on January 20, 2004, is denied. The opinion does not establish a new rule of law, nor does it meet any of the other criteria set for in California Rules of Court, rule 976(b).

In compliance with California Rules of Court, rule 978, the Clerk shall transmit the request for publication and a copy of this order to the Supreme Court.

(Elia, J.; Rushing, P.J., Premo, J.)

Dated: February 2, 2004

H025039 RMC PACIFIC MATERIALS, INC., v. COUNTY OF SANTA CRUZ, et al.; CITY OF SANTA CRUZ

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)

Filed February 2, 2004

H025507 PEOPLE v. PINA

The judgment is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed February 2, 2004

H026503 PEOPLE v. MARTINEZ

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

Filed February 2, 2004

TUESDAY, FEBRUARY 3, 2004

H025421 STARK v. LOCKHEED MARTIN CORPORATION

The judgment is affirmed. Lockheed Martin Corporation shall recover its costs on appeal. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed February 3, 2004

H025325 LAI v. WALL, et al.

The judgment is affirmed. Appellant shall bear costs on appeal. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed February 3, 2004

Sixth Appellate District

San Jose, California

Tuesday, February 3, 2004 (Continued)

H026779 STEVEN M., et al. v. SUPERIOR COURT

The petitions for extraordinary writ are denied. (not published)

(Mihara, J.; We concur: Wunderlich, Acting P.J., McAdams, J.)

Filed February 3, 2004

WEDNESDAY, FEBRUARY 4, 2004

H025357 MUNT v. SIZZLER USA RESTAURANTS, et al.

The judgment is affirmed. Sizzler shall be entitled to its costs on appeal. (not published)

(Wunderlich, J.; I concur: Rushing, P.J.; Dissenting opinion by Mihara, J.)

Filed February 4, 2004

H025468 PERRY v. DEPARTMENT OF MOTOR VEHICLES

The judgment is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed February 4, 2004

H025936 HAMRAH v. PHAN, et al.

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

Filed February 4, 2004

THURSDAY, FEBRUARY 5, 2004

H025878 PEOPLE v. ABRAHAM H.

The appeal is dismissed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed February 5, 2004

H025692 PEOPLE v. CHAIREZ

The judgment is affirmed. (not published)

(Premo, J.; I concur: Elia, J.; Dissenting opinion by Rushing, P.J.)

Filed February 5, 2004

Sixth Appellate District

San Jose, California

Thursday, February 5, 2004 (continued)

H024652 PEOPLE v. FRYE

H025454 In re MARK TODD FRYE on Habeas Corpus

The judgment is affirmed. The petition for writ of habeas corpus is denied. (not published)

(Mihara, J.; We concur: Rushing, P.J., Wunderlich, J.)

Filed February 5, 2004

H024593 PEOPLE v. JOSEPH

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Rushing, P.J., Wunderlich, J.)

Filed February 5, 2004

H024504 PEOPLE v. ADAMS

(Filed order modifying opinion.) There is no change in judgment. (published)

(Premo, J., Rushing, P.J., Elia, J.)

Filed February 5, 2004

H024508 PEOPLE v. CHI

The judgment is reversed and remanded for possible retrial of the personal infliction of great bodily injury allegation. If the prosecution chooses not to retry the allegation, defendant shall be resentenced. (not published)

(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)

Filed February 5, 2004

FRIDAY, FEBRUARY 6, 2004

H025840 ABRAMSON v. JUNIPER NETWORKS, INC., et al.

We reverse the judgment. We remand the matter to the trial court with instructions to: (1) vacate its order of June 12, 2000, which granted defendants' motion to compel arbitration; and (2) conduct further judicial proceedings as necessary to resolve plaintiff's claims on their merits. Plaintiff shall have costs on appeal. (partial publication)

(McAdams, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed February 6, 2004

H025128 ROMAN v. OLALIA, et al.

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

Filed February 6, 2004

Sixth Appellate District

San Jose, California

Friday, February 6, 2004 (continued)

H024743 PEOPLE v. CONNOR; SAN JOSE MERCURY NEWS, INC.

The order granting the News's petition is reversed, and the matter is remanded for further proceedings. (published)
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed February 6, 2004

H024744 PEOPLE v. MARIANO; SAN JOSE MERCURY NEWS

The order granting the News' petition to inspect and copy defendant's probation report is reversed, and the matter is remanded for further proceedings. (not published)
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed February 6, 2004